

## **FBI Laboratory**

### **Practices for Preparing, Reviewing, and Issuing Laboratory Reports and Retaining Records for Legacy Cases**

#### **1 Purpose**

These practices specify the requirements for performing verifications; preparing, reviewing, and issuing a *Laboratory Report* (7-1); and retaining case-related records for legacy cases to conform to the requirements of the FBI Laboratory Quality Assurance Manual (QAM) and the applicable accrediting body(ies).

#### **2 Scope**

These practices apply to FBI Laboratory personnel who prepare or issue *Laboratory Reports* and/or generate case-related records for legacy cases. These practices also apply to FBI Laboratory personnel who perform verifications, conduct technical reviews, and conduct administrative reviews for legacy cases. Additionally, these practices apply to FBI Laboratory personnel generating a *Laboratory Report* for Office of Professional Responsibility (OPR), or prohibited cases, or for legacy Terrorist Explosive Device Analytical Center (TEDAC) cases. Appropriate level 2 documents will contain procedures for performing verifications; conducting technical and administrative reviews; preparing and issuing *Laboratory Reports*; generating case-related records; reporting/using Investigative Lead, Intelligence, or Information Products (i3) products; and for Laboratory Director and Quality Manager approved initiatives. See Laboratory Operations Manual (LOM) - Practices for Providing Investigative Lead, Intelligence, or Information (i3) for requirements regarding i3 products.

#### **3 Practices**

Every FBI Laboratory number assigned to a request for examination must have a *Laboratory Report* or an i3 product (Appendix A) issued addressing each request associated with that number. Any information required by ISO/IEC 17025 or ANAB AR 3125 not covered in a *Laboratory Report* or an i3 product will be maintained in the FBI Laboratory. [QAM – Sections 7.8.1.3 and 7.8.1.3.1]

##### **3.1 Formatting a *Laboratory Report***

Each *Laboratory Report* will contain administrative information about the request for examination; a listing and description of evidence; a Results of Examinations section when forensic examinations have been conducted; a Remarks section; and a name block; and will be digitally signed in Sentinel by the person issuing the *Laboratory Report*.

The text entered for each *Laboratory Report* will be Times New Roman font. Typically, the font size used in the body of the *Laboratory Report* is 12-point; however, different font sizes may be used in charts. The bold, italic, or underline functions may be used, and charts and/or images may be included as necessary.

### **3.1.1 Administrative Information**

**3.1.1.1** All fields in the Administrative section, excluding the “Your No.” field must be completed. An external contributor number is entered in the “Your No.” field only if it is supplied to the FBI Laboratory.

**3.1.1.2** Redacted

**3.1.1.3** A *Laboratory Report* being prepared for an external contributor will be addressed according to the information supplied in the request for examination.

**3.1.1.4** If an examiner has any concerns regarding the administrative information, they will contact the person managing the case to verify the information is accurate.

### **3.1.2 Listing and Description of Items**

The FBI Laboratory Evidence Designators section contains a listing and description of the item(s) which were submitted to, or examined in, a particular unit, discipline, and/or category of testing.

**3.1.2.1** Items will be grouped according to the item identifier and listed sequentially within each group (i.e., Questioned, Known, Non-Evidentiary). Questioned items are listed and described first, known items are listed and described next, non-evidentiary items are listed and described next, and resubmitted items last. Headings, for example, distinguishing items from the victim and the subject, may be used.

**3.1.2.2** The person generating the *Laboratory Report* will include a statement identifying the discipline/category of testing/evidence management being reported. This statement will follow the listing and description of evidence. Alternatively, the Results of Examination section may provide this information.

**3.1.2.3** If an examiner has any concerns regarding the description of evidence, they will contact the person managing the case to verify the information is accurate.

### **3.1.3 Results of Examinations**

The Results of Examinations section contains methods, results, opinions, limitations, interpretations, and/or conclusions of forensic examinations conducted by a particular examiner.

This information may be under a separate heading(s) as specified in level 2 documents. Additionally, the requirements in QAM - Section 7.8 will be followed.

**3.1.3.1** The wording used to convey the results of examinations is left to the discretion of the examiner in accordance with the applicable Department of Justice Uniform Language and Reports (ULTR) document(s), the applicable FBI Approved Standards for Scientific Testimony and Report Language (ASSTR) and any applicable level 2 documents regarding reporting and is acceptable to the technical and administrative reviewers.

**3.1.3.1.1** The significance of an association will be included in the *Laboratory Report* in a statistic or a qualitative statement.

**3.1.3.1.2** When comparative examinations result in the elimination of a person or object, the *Laboratory Report* will clearly communicate the elimination.

**3.1.3.1.3** When an inconclusive result is reported, the reason(s) will be clearly stated in the *Laboratory Report*.

**3.1.3.1.4** A *Laboratory Report* will include additional information when it is necessary for the interpretation of the examination results, such as:

- information regarding specific examination conditions;
- a statement of conformity with requirements or specifications, as described in QAM - Section 7.8.6;
- additional information that may be required by specific methods, authorities, or contributors.

**3.1.3.1.5** Measurement uncertainty will be included in the *Laboratory Report*, or as an enclosure, when it is relevant to the validity or application of the examination results; a contributor's instructions require it; it affects conformity to a specification limit; or when the measurement impacts the evaluation of a specification limit stated by a regulatory body, a statute, case law, or other legal requirement.

**3.1.3.1.6** The measurement uncertainty will:

- include the measured quantity value,  $y$ , along with the associated expanded uncertainty,  $U$ , and the coverage of probability;
- be in the format of  $y \pm U$ ;
- be limited to at most two significant digits, unless there is a recorded rationale for reporting additional significant digits;
- be reported to the same level of significance as the measurement result.
- where applicable, be presented in the same unit as that of the measurand or in a term relative to the measurand (e.g., percent).

**3.1.3.2** If evidence is received and the request for examination is to compare the submitted evidence with other items from a closed request(s), the previous FBI Laboratory number(s) will be referenced in the Results of Examinations section. If the items were submitted from different

Case ID numbers, both the previous FBI Laboratory number(s) and the Case ID number(s) will be referenced in the Results of Examinations section. This does not constitute a combined report.

### **3.1.4 Individual Characteristic Database (ICD) Searches**

**3.1.4.1** If a forensic sample (e.g., latent print, test fire, DNA profile) is searched as a one-time event, a *Laboratory Report* must be generated clearly stating the results of the ICD search. A one-time event means the sample will not be retained in the database and will not automatically searched against the database on some routine basis.

**3.1.4.2** If a forensic sample is, or will be, entered into a database(s) and is repeatedly searched with negative results, a *Laboratory Report* is not required for each search. However, the first time the sample is entered into the database, written notification (e.g., email, letter of notification, *Laboratory Report*) must be generated which clearly informs the contributor the sample was, or will be, entered into the database. Any time a positive association is made, written notification (e.g., email, letter of notification, *Laboratory Report*) must be generated. A record of the notification will be maintained.

### **3.1.5 Remarks**

The Remarks section will contain, at a minimum, the disposition of the evidence contained in the *Laboratory Report*, contact information for the examiner, contact information for submission status inquiries, the facility(ies) and/or site(s) where work was conducted, as well as a statement regarding the location of the supporting records. This section may also contain information pertinent to the request, evidence not inventoried, examination cancellations, examinations not conducted, and special evidence handling and storage instructions. Any additional information for this section will be specified in appropriate level 2 documents.

#### **3.1.5.1 Disposition of Evidence**

Each *Laboratory Report* will contain a statement that will address the disposition of the items of evidence and secondary evidence, as applicable. The disposition statement may state the items:

- Are enclosed with the *Laboratory Report*.
- Will be returned to the contributor under separate cover from the *Laboratory Report*.
- Will be retained.
- Have been consumed during the examination process.

#### **3.1.5.2 Contact Information**

**3.1.5.2.1** Each *Laboratory Report* will contain a statement providing contact information, including the title, name, email address and/or telephone number of the person issuing the *Laboratory Report*, should the contributor have questions about the content of the report.

**3.1.5.2.2** Each *Laboratory Report* will include a telephone number and/or email address of the person and/or unit to contact regarding the status of the submission.

### **3.1.5.3 Facility Statement**

Each *Laboratory Report* will contain a statement which identifies the facility(ies) and/or site(s) where any work (e.g., examination, processing, verification) was performed. The location where each task was performed does not need to be specified.

### **3.1.5.4 Opinions/Interpretations and Supporting Records Statement**

Each *Laboratory Report* that contains conclusions will contain a statement referencing the applicable Department of Justice Uniform Language and Reports document(s). Additionally, a *Laboratory Report* that contains opinions and interpretations will have a statement indicating the report contains the opinions and interpretations of the issuing examiner(s) and is supported by records retained in the FBI Laboratory file. The *Laboratory Report* will also contain language advising contributors of the time required for discovery requests to be processed.

### **3.1.5.5 Information Pertinent to the Request**

This information may include investigative assistance information or sample collection instructions.

### **3.1.5.6 Evidence Not Inventoried**

If the evidence is being returned prior to the container(s) being opened and/or the content inventoried, the person managing the case will issue a *Laboratory Report* explaining no examinations were conducted, and the evidence was not inventoried.

### **3.1.5.7 Examination Cancellations**

If instructions are received from the contributor to cancel a request for examination, all cancellation instructions and the name of the person who canceled the request for examination will be recorded on the *Activity and Communication Log* (7-245). If the cancellation instruction is provided via email, the email(s) will be retained in the 1A(s)/1C(s).

#### **3.1.5.7.1 Cancellation Prior to Any Examinations**

If instructions are received from the contributor to cancel a request for examination and no examinations have been initiated by the FBI Laboratory at the time the request was received, the person managing the case will issue a *Laboratory Report* that includes a listing and description of the evidence. The *Laboratory Report* must include a statement in the Remarks section indicating the examinations were canceled, by whom, and when.

### 3.1.5.7.2 Cancellation After Examination Initiation

If an examiner is instructed to discontinue examinations after they have been initiated, the affected examiner will determine the appropriate stopping point in the examination process. The *Laboratory Report* must include a statement in the Remarks section indicating the examinations were canceled, by whom, and when. All results of any completed examinations will be included in the Results of Examinations section in a *Laboratory Report*.

Additionally, if there are any remaining examinations that have not been initiated, the person who received the instruction to discontinue examinations will contact the person managing the case. The person managing the case will issue a *Laboratory Report* that includes a listing and description of the evidence. The *Laboratory Report* must include a statement in the Remarks section indicating that the examinations were canceled, by whom, and when.

### 3.1.5.8 Examinations Not Conducted

**3.1.5.8.1** When a request for a type of examination that is not conducted in the FBI Laboratory is received, the person managing the case will issue a *Laboratory Report* and include a detailed explanation in the Remarks section that describes why the requested examination was not conducted.

**3.1.5.8.2** When a request for a type of examination that is conducted in the FBI Laboratory is received but will not be conducted, the appropriate examiner will issue a *Laboratory Report* and include a detailed explanation that describes why the requested examination was not conducted. If there are results included in the *Laboratory Report* for another type of examination, the detailed explanation may be under separate heading(s) as specified in a level 2 document.

**3.1.5.8.3** When evidence is received damaged and/or the integrity of the evidence has been compromised to the extent that no examinations will be conducted, the appropriate examiner will issue a *Laboratory Report* and include a detailed explanation that describes why the requested examination(s) was not conducted.

**3.1.5.8.4** When EMU receives TEDAC evidence submissions that are deemed to be unsuitable for examination due to the nature of the evidence, prior processing performed on the evidence at a forward lab that precludes FBI Laboratory examinations, and/or the evidence is submitted with a request for storage only and examinations are deemed unnecessary prior to storage, these submissions will be sent directly for storage to the TEDAC Repository or to the EMU bunker, as appropriate, after in-processing is completed. In lieu of a *Laboratory Report* in these situations, EMU personnel will send an email to the contributor stating the following:

- the referenced evidence will not be examined by any discipline/unit at this time;
- the reason it will not be examined at this time (e.g., nature of the evidence, prior processing performed on the evidence at a forward lab, the contributor only requesting the evidence be stored); and

- the evidence will be stored in the TEDAC Repository or EMU bunker, as appropriate.

This email will be separate and will be sent in addition to the acknowledgment email. These emails will be retained.

### **3.1.5.9 Special Evidence Handling/Storage Instructions**

Instructions to the contributor may be included in the *Laboratory Report* addressing evidence handling and storage (e.g., to freeze, refrigerate the returned evidence).

### **3.1.6 Name Block**

The name(s) and unit of the examiner(s) responsible for the content of the *Laboratory Report* will immediately follow the Remarks section.

### **3.1.7 Enclosures**

Enclosures may be attached to the *Laboratory Report* and serialized in Sentinel or physically mailed to the contributor. If the *Laboratory Report* is being serialized in Sentinel and the enclosure is being mailed, at a minimum, the first page of the report must be printed and attached to the enclosure. For external contributors, the *Laboratory Report* and enclosures will be mailed together.

All enclosures must be accounted for on the first page of the *Laboratory Report*. The enclosure count will be placed on the bottom left margin of the first page of the *Laboratory Report* above the page number.

### **3.1.8 Major Cases and Other Cases with Multiple Examiner *Laboratory Reports***

**3.1.8.1** Multiple examiners from a caseworking unit may prepare one *Laboratory Report* for a major case or other cases as deemed appropriate by the Unit Chief.

**3.1.8.2** When a *Laboratory Report* contains the results of multiple examiners, the report will identify each examiner's results (e.g., each examiner's initials or name in parentheses at the end of each paragraph or section or where appropriate in tables and charts). The initials or name do not need to be electronically secure on the *Laboratory Report*. Each examiner will have their own name block in the *Laboratory Report*. Additionally, each contributing examiner will be a co-author or approver in Sentinel, acknowledging agreement with their results as reported.

**3.1.8.3** When an Explosives and Hazardous Devices *Laboratory Report* is being issued and results from another examiner(s) must be included, the Explosives and Hazardous Devices examiner will identify each examiner's results (e.g., each examiner's initials or name in parentheses at the end of each paragraph or section, or where appropriate in tables and charts). The initials or name do not need to be electronically secure on the *Laboratory Report*. The

Explosives and Hazardous Devices examiner will also include a statement that includes the FBI Laboratory number for the other examiner's report, the examiner's name, and the date of their report. Each contributing examiner will be a co-author or approver in Sentinel, acknowledging agreement with their results as reported.

### **3.1.9 Combined *Laboratory Reports***

An examiner may prepare a *Laboratory Report* combining the information from various open requests submitted to the FBI Laboratory under the same Case ID number.

#### **3.1.9.1 Same Contributor and Same Case ID Number**

The examiner preparing a combined *Laboratory Report* for evidence submitted by the same contributor under the same Case ID number will ensure each listing of items received under one request is preceded by an administrative sentence that identifies the date of the request, the FBI Laboratory number, and the unit that received/examined the evidence. At a minimum, the FBI Laboratory numbers that are relevant to the results of examinations will be listed.

#### **3.1.9.2 Different Contributors and Same Case ID Number**

The examiner preparing a combined *Laboratory Report* for evidence submitted by different contributors under the same Case ID number will ensure the Case ID numbers are the same. If they are not, the *Laboratory Report* will be handled as described below. Each listing of items received under one request will be preceded by an administrative sentence that identifies the contributor, the date of the request, the FBI Laboratory number, and the unit that received/examined the evidence. The *Laboratory Report* will be addressed to the FBI office of origin even if it was not the office contributing the evidence.

### **3.1.10 Comparison of Evidence Submitted Under Different Case ID Numbers**

An examiner must prepare separate *Laboratory Reports* when addressing a request to compare items submitted under different Case ID numbers. A file copy of each *Laboratory Report* will be generated for every Case ID number referenced in the contents of the *Laboratory Reports*.

### **3.1.11 Examination of Evidence Received Under Both Legacy and Forensic Advantage Submissions**

The examiner preparing a *Laboratory Report* for evidence received under both legacy and Forensic Advantage submissions will refer to the LOM - Practices for Preparing, Reviewing, and Issuing Laboratory Reports and Retaining Records in Forensic Advantage (FA).

### **3.1.12 Follow Up *Laboratory Reports***

A follow up *Laboratory Report* will be prepared if a change or addition must be made to the content of a previous *Report of Examination(s)/Laboratory Report(s)* or to provide additional



information pertaining to a completed request for examination. A follow up to a legacy *Laboratory Report* will only be assigned a new case identifier and issued according to the LOM – Practices for Preparing, Reviewing and Issuing Laboratory Reports in Forensic Advantage (FA) when additional examinations are conducted. If no additional examinations are conducted a follow up legacy report will be issued.

**3.1.12.1** The examiner who prepares a follow up *Laboratory Report* will reference the date of the previous *Report(s) of Examination/Laboratory Report(s)* in an introductory sentence. The introductory sentence will precede the Results of Examinations section.

**3.1.12.2** The examiner who prepares a follow up *Laboratory Report* will ensure a listing and description of items in the previous *Report(s) of Examination/Laboratory Report(s)* that are affected by the follow up *Laboratory Report* are included.

**3.1.12.3** The follow up *Laboratory Report* will clearly state what information is being changed and/or what additional information is being provided. The follow up report will be administratively and, when applicable, technically reviewed.

**3.1.12.4** If the follow up *Laboratory Report* is replacing the original *Report of Examination/Laboratory Report* in its entirety, the follow up *Laboratory Report* will clearly state the Laboratory number(s) affected, the date(s) of the previous *Report of Examination/Laboratory Report*, a complete listing of the item(s) of evidence received in the unit, and, if applicable, that re-examinations were conducted. The follow up *Laboratory Report* does not need to specify the wording that is changing; however, it will state all information in the previous *Report(s) of Examination/Laboratory Report(s)* is replaced by the current *Laboratory Report*.

### **3.1.13 *Laboratory Report* with Results Obtained from Outside Experts**

When a *Laboratory Report* contains results of tests performed by an expert outside the FBI Laboratory, those results will be clearly identified. If the examination results are not included in the *Laboratory Report*, the Unit Chief will ensure that the contributor receives a copy of the outside expert's report.

### **3.1.14 *Laboratory Report* for an Examiner Not Available to Testify**

A court official or contributor may request a new *Laboratory Report* for trial purposes because the examiner who issued the original *Report of Examination/Laboratory Report* is not available to testify (e.g., no longer works for the FBI, on extended leave). The newly assigned examiner will review the casework of the previous examiner and conduct reexaminations, as appropriate. If the FBI Laboratory agrees to provide a new *Laboratory Report*, refer to these practices or the LOM - Practices for Preparing, Reviewing, and Issuing Laboratory Reports and Retaining Records in Forensic Advantage (FA).

### **3.1.15 Laboratory Report File Copy**

For every *Laboratory Report*, a file copy will be generated for inclusion in the FBI Laboratory file.

## **3.2 Verification of Identification or Association**

**3.2.1** Each identification or association rendered as a result of a comparison examination will be verified. This will occur prior to or concurrent with the technical review.

**3.2.2** A verification of identification or association will be conducted by a verifier who did not perform the initial examination.

**3.2.2.1** If there is a qualified and authorized person within the FBI Laboratory to verify an identification or association for the category of testing being reviewed, but that person is unavailable (e.g., deployment, on leave) to conduct the verification, an attempt will be made to obtain an expert outside the FBI Laboratory to serve as the verifier. If an expert outside the FBI Laboratory can perform the verification, a major deviation will be requested in accordance with the LOM - Practices for Authorizing Deviations to allow the outside expert to verify the identification or association. If an expert outside the FBI Laboratory cannot perform the verification, a major deviation will be requested in accordance with the LOM - Practices for Authorizing Deviations to allow a verification of the identification or association to not occur.

**3.2.2.2** If there is not another qualified and authorized person within the FBI Laboratory to verify an identification or association for the category of testing being reviewed, the appropriate Technical Leader will evaluate the qualifications of an expert outside the FBI Laboratory to serve as a verifier for a specified time. The affected unit(s) will maintain a list of approved external verifiers.

**3.2.3** A verification will be performed on the following as it applies to the particular examination.

- Best relevant evidence.
- Derivative information or evidence.
- Data.
- Charts.
- Images.
- Analogous information from which the first examiner based the conclusion.

**3.2.4** The appropriate level 2 document will contain a definition of an identification or association and the procedures used to perform the verification.

**3.2.5** Upon completion of the verification, the verifier will record their agreement with the examiner's results in the FBI Laboratory file. Records include the date of the verification and either the verifier's signature or name and initials.

### **3.3 Reviewing a *Laboratory Report***

Each FBI *Laboratory Report* will be technically and administratively reviewed as described in this section, unless a unit, discipline, and/or category of testing has evaluated the risk as to when and/or the type of *Laboratory Reports* that will be reviewed and has recorded that evaluation. Additionally, the frequency and/or type of *Laboratory Reports* reviewed will be described in a level 2 document. Each identification or association rendered as a result of a comparison examination will be verified. This will occur prior to or concurrent with the technical review.

#### **3.3.1 General Requirements**

**3.3.1.1** When a *Laboratory Report* contains examination results; it will be technically reviewed prior to or concurrently with the administrative review.

**3.3.1.2** Each *Laboratory Report* will be administratively reviewed.

**3.3.1.3** FBI Laboratory personnel cannot verify, technically review, or administratively review their own work.

**3.3.1.4** The verification, technical review, and/or administrative review may be conducted by the same person and may be conducted concurrently.

#### **3.3.2 Expedited Results**

**3.3.2.1** Prior to a *Laboratory Report* being issued to the contributor and a complete technical review being conducted, an examiner may disseminate expedited results or partial results of an examination(s). The appropriate level 2 document may contain requirements that specify results that do not require verification by another examiner prior to dissemination (e.g., negative results, presumptive results). If a unit, discipline, and/or category of testing chooses not to define requirements for which results do not require verification prior to dissemination, all results must be verified according to these practices prior to dissemination. The verification(s) will be recorded in the FBI Laboratory file.

**3.3.2.2** When providing expedited results, the examiner will communicate the following dissemination information to the contributor. This communication will be recorded on the *Activity and Communication Log*.

- The examinations performed on pertinent items and the results.
- The results are subject to change.
- Final results will be provided in a *Laboratory Report* that will undergo review prior to issuance.

**3.3.2.3** If the examiner provides the contributor with the final results after a technical review has been conducted but prior to an administrative review, the examiner will record the communication on the *Activity and Communication Log*.

### 3.3.4 Technical Review

**3.3.4.1** A technical review will be conducted by a person who is authorized to conduct technical reviews in the category of testing being reviewed. The technical reviewer will have been competency tested in the task(s) that the review is encompassing. Additionally, the technical reviewer will have knowledge of the technical procedures used in that category of testing.

**3.3.4.1.1** If there is an authorized person within the FBI Laboratory for the category of testing being reviewed, but that person is unavailable (e.g., deployment, on leave) to conduct the technical review, an attempt will be made to obtain an expert outside the FBI Laboratory to serve as the technical reviewer. If an expert outside the FBI Laboratory can perform the technical review, a major deviation will be requested in accordance with the LOM - Practices for Authorizing Deviations to allow the outside expert to conduct the technical review. If an expert outside the FBI Laboratory cannot conduct the technical review, a major deviation will be requested in accordance with the LOM - Practices for Authorizing Deviations to allow a technical review to not occur.

**3.3.4.1.2** If there is not another authorized person within the FBI Laboratory for the category of testing being reviewed, the appropriate Technical Leader will evaluate the qualifications of an expert outside the FBI Laboratory to serve as a technical reviewer for a specified time. The affected unit(s) will maintain a list of approved external technical reviewers.

**3.3.4.2** Technical reviews will not be conducted by the examiner(s) who authored the examination records or the *Laboratory Report* under review.

**3.3.4.3** A technical review will be performed on all *Laboratory Reports* that contain examination results and on the supporting case records. This review will determine if:

- The examinations and supporting case records conform with applicable portions of the level 1 documents, appropriate level 2 documents, and appropriate technical procedures;
- The appropriate examinations have been performed;
- The examiner's conclusions are consistent with the data records, are within the limitations of the discipline/category of testing, and are supported by the applicable ULTR and/or ASSTR;
- The *Laboratory Report* is accurate and there are sufficient supporting records for the results and/or conclusions of the *Laboratory Report*;
- A verification of identification(s) or association(s) has been completed and properly recorded, when such a conclusion has been reached;
- Associations are put into the appropriate context in the *Laboratory Report*;
- The *Laboratory Report* contains all the required information.

**3.3.4.4** The appropriate level 2 document will contain procedures used to conduct a technical review to include field examination review, when applicable.

**3.3.4.5** The technical reviewer will record their agreement with the examination process and the completion of the technical review in the FBI Laboratory file. Records include the date of the technical review and either the reviewer's signature or name and initials.

### **3.3.5 Administrative Review**

**3.3.5.1** An administrative review will not be conducted by the person(s) authoring the *Laboratory Report* being reviewed. A level 2 document may further define requirements for an administrative reviewer.

**3.3.5.2** An administrative review includes at a minimum:

- Spelling and grammatical accuracy of the *Laboratory Report*;
- Proper classification markings have been applied.
- The administrative and examination records conform to QAM - Section 7.5 and LOM - Practices for Assigning Cases and Conducting Examinations.
- The *Laboratory Report* conforms to these practices.
- A technical review has been completed, when applicable, and properly recorded.

**3.3.5.3** The administrative reviewer will record their completion of the administrative review. Records include the date of the administrative review and either the reviewer's signature or name and initials. This will be the last entry on the last page of the file copy of the *Laboratory Report*. This record signifies approval for serializing the *Laboratory Report* to Sentinel.

**3.3.5.4** A level 2 document will contain procedures used to conduct an administrative review and a list of what is considered administrative records and examination records.

### **3.3.6 Resolution of Scientific or Technical Disagreement**

Personnel will follow LOM - Practices for Resolution of Scientific or Technical Disagreement to resolve any disagreement resulting from a verification, blind verification, technical review, and/or administrative review.

## **3.4 Issuing a *Laboratory Report***

A *Laboratory Report* is primarily issued to a contributor. In some instances, it may be issued to a person other than the contributor such as a prosecutor or a lead investigator. The *Laboratory Report* will be issued only after it has been reviewed and serialized in Sentinel.

A *Laboratory Report* will be issued to an FBI contributor in an electronic file serialized in Sentinel. For external submissions, a *Laboratory Report* will be emailed or physically mailed to the contributor. For TEDAC submissions, a *Laboratory Report* may be available in an electronic file in the Explosive Reference Tool (EXPeRT). A *Laboratory Report* in EXPeRT may be viewed by all partners, not just a single contributor.

**3.4.1** Multiple examiners may issue one *Laboratory Report* for a major case or other cases with multiple examiners according to these practices.

**3.4.2** A *Laboratory Report* that references more than one Case ID number will list the additional Case ID number(s) in the Additional Case field in Sentinel.

**3.4.3** The *Laboratory Report* will be serialized in Sentinel. When someone other than the person issuing the *Laboratory Report* serves as the author of the *Laboratory Report* in Sentinel, the person issuing the *Laboratory Report* will serve as an approver in Sentinel.

**3.4.4.1** If the person(s) issuing the *Laboratory Report* is not available and the *Laboratory Report* must be issued immediately, a deviation will be requested as described below.

**3.4.4.1.1** If a single case requires immediate issuance of a *Laboratory Report* in the issuing person's absence (i.e., an examiner who is responsible for the examination(s)), a minor deviation will be requested according to the LOM - Practices for Authorizing Deviations to allow another person to issue the *Laboratory Report* on behalf of the issuing person (i.e., will have the issuing person's name). The minor deviation will state why the *Laboratory Report* needs to be issued immediately and why the issuing person is unavailable to be an approver in Sentinel (e.g., deployment, leave). The minor deviation will be authorized and recorded in the *Activity and Communication Log*. The issuing person will be listed for distribution in Sentinel and will acknowledge review of the issued report in the *Activity and Communication Log* upon their return.

**3.4.4.1.2** If multiple cases require immediate issuance of a *Laboratory Report* in the issuing person's absence (e.g., the examiner who is responsible for the examination(s)), a major deviation will be requested according to the LOM - Practices for Authorizing Deviations to allow another person(s) to issue the *Laboratory Reports* on behalf of the issuing person (i.e., will have the issuing person's name). The major deviation will state why the *Laboratory Reports* need to be issued immediately and why the issuing person is unavailable to be an approver in Sentinel (e.g., extended deployment, extended leave). A copy of the authorized major deviation will be included in the FBI Laboratory file and referenced in the *Activity and Communication Log*. The issuing person will be listed for distribution in Sentinel and will acknowledge review of the issued report in the *Activity and Communication Log* upon their return.

### **3.4.5 Requests for a Previously Issued *Report of Examination/Laboratory Report***

**3.4.5.1** If an FBI contributor requests a previously issued *Report of Examination/Laboratory Report*, the FBI contributor will be directed to retrieve the *Report of Examination/Laboratory Report* from Sentinel.

**3.4.5.2** If an external contributor requests a previously issued *Report of Examination/Laboratory Report*, the *Report of Examination/Laboratory Report* will be retrieved from Sentinel and may be sent to an external contributor, the contributing agency, and/or the prosecutor for that specific case.

**3.4.5.3** For DNA cases involving a missing person, where a comparison is conducted with either a sample from another laboratory or a sample from a CODIS index, a copy of the *Report of Examination/Laboratory Report* may be issued to the laboratory who contributed the compared sample without authorization from the contributor.

### **3.5 Retaining Case-Related Records**

Requests for examinations, administrative records including the *Laboratory Work Sheet* and *TEDAC Work Sheet*, examination records, and *Laboratory Reports* are routinely received or generated by FBI Laboratory personnel. These records (either originals or copies) will be retained in the FBI Laboratory file.

#### **3.5.1 Request for Examination**

The person managing the case will ensure the request for examination is retained in the FBI Laboratory file.

#### **3.5.2 Evidence Acknowledgment**

If an *Acknowledgement Letter* was generated for a case, it will be retained in the FBI Laboratory file.

#### **3.5.3 Laboratory Report**

The person issuing the *Laboratory Report* will ensure it is serialized in Sentinel.

#### **3.5.4 Supporting Records**

A 1A/1C containing supporting records for each serializing in Sentinel will be prepared for each Laboratory Report.

**3.5.4.1** Physical supporting records will be placed in a *Supporting Documentation Envelope(s)* (7-251) and serialized as a physical attachment 1A in Sentinel. Supporting records that are too bulky to fit in a physical 1A(s) may be placed in a bulky 1C(s). Physical supporting records will be delivered to the file room. A summary of the enclosures in the 1A(s) and/or 1C(s) will be noted in Sentinel.

**3.5.4.2** Electronic supporting records will be serialized in Sentinel. If the file is larger than the largest allowed attachment size for Sentinel, personnel will save the files to electronic media and retain the media in the physical 1A(s) or 1C(s).

**3.5.4.3** Communication(s) will be recorded on the *Activity and Communication Log*. Substantive email communication(s) will be referenced on the *Activity and Communication Log* and the email(s) will be retained in the 1A(s). *Activity and Communication Logs* are not required

for TEDAC legacy cases.

Redacted

### 3.5.8 Retention of an FBI Laboratory File

Long-term retention and disposition of files will be coordinated by the Information Management Division.

## 4 Records

The following records will be generated and/or retained in the FBI Laboratory file and/or in Sentinel when completed as a result of these practices:

- Request for examination
- *Acknowledgement Letter*
- *Activity and Communication Log*
- Record(s) of verification of an identification or association
- *Laboratory Report*
- *Laboratory Report* file copy
- 1A(s) and/or 1C(s), containing administrative and examination records
- Record(s) of a technical review, when conducted
- Record(s) of an administrative review, when conducted
- Additional request records, when necessary

Redacted



## 5 References

FBI Laboratory Quality Assurance Manual, Federal Bureau of Investigation, Laboratory Division, latest revision.

FBI Laboratory Operations Manual, Federal Bureau of Investigation, Laboratory Division, latest revision.

ISO/IEC 17025 - General Requirements for the Competence of Testing Laboratories, International Organization for Standardization, Geneva, Switzerland, 2017.

ISO/IEC 17025:2017 - Forensic Science Testing and Calibration Laboratories Accreditation Requirements (AR 3125), ANAB, Milwaukee, WI, April 29, 2019.

Forensic Advantage User Guide, Forensic Advantage® Systems, a division of The Computer Solution Company, Inc., latest revision.

FBI Corporate Policy Directive 0423D, Preservation and Disclosure of Electronic Communications in Federal Criminal Cases, Federal Bureau of Investigation, latest revision.

Rev. #	Issue Date	History
12	06/03/19	<p>Changed evidence management personnel to Evidence Management Unit throughout document. In section 3 added a statement that any information required by accreditation requirements which is not in a <i>Laboratory Report</i> or alternate reported results will be maintained in the FBI Laboratory. Modified section 3.1 to move details about listing and description of evidence section to section 3.1.2. In section 3.1.2.1, added requirement for <i>Laboratory Report</i> to include a statement regarding items not examined. Added reference to DOJ ULTR documents in sections 3.1.3.1 and 3.2.4.3. Modified and added requirements in sections 3.1.3.1 through 3.1.3.1.6 to reflect revised accreditation requirements. In sections 3.1.5 and 3.1.5.3, added requirement to also provide sites where work was conducted. Added requirement for <i>Laboratory Report</i> to reference DOJ ULTR documents and discovery requirements in section 3.1.5.4. Clarified requirements regarding exam cancellations in sections 3.1.5.7 through 3.1.5.7.2. In section 3.1.8.3, allowed contributing examiners to alternatively be co-authors in Sentinel. Clarified that supplemental <i>Laboratory Report</i> pertain to completed requests in section 3.1.12. In section 3.1.13 removed requirement for legacy amended <i>Laboratory Reports</i> to be generated in FA. Relocated requirement regarding verification to section 3.2.2.1. Revised requirements for technical reviews in section 3.2.4.1 through 3.2.4.1.2 to remove requirements for person to be qualified and have casework experience, and to add requirement to have been competency tested. In section 3.3 broadened requirements to allow emailing <i>Laboratory Report</i>. Generalized serialization requirements in section 3.4.4.2. In section 3.4.8, updated division name. Updated list of references in section 5.</p>
13	12/21/20	<p>Minor typos and edits throughout for clarity.</p> <p>Throughout document removed reference to TEDAC Laboratory Report (7-273)</p> <p>2 - added information about i3 products including referencing the LOM Practice</p> <p>3 - added i3 product</p> <p>3.1- removed REX macro</p> <p>Throughout document changed EMU personnel to person managing the case</p> <p>3.1.2 - changed heading from Listing and Description of Evidence to Items and in text to FBI Laboratory Evidence Designators</p> <p>3.1.2.1 - deleted this section covering Laboratory Report listing items received by EMU</p> <p>3.1.2.2 - Added statement about alternative for providing</p>

information in Results of Examination section

3.1.3.1 - added administrative reviewers

3.1.5.2.1 - added option to provide email address

3.1.5.8.4 - added information regarding TEDAC evidence being submitted that will not be examined or requested for storage only as well as acknowledgement requirements

3.1.12 and subsections - clarified use of follow up reports and deleted information on amended, supplemental and superseded reports as they are no longer used

3.1.1.4 - Added that newly assigned examiner will review the work and conduct reexaminations, as appropriate. Removed requirement for request for new report in writing from court official or contributor

3.3 - Added option for units, disciplines and/or categories of testing to perform risk evaluation as to when and/or type of Laboratory Reports are reviewed. Type and frequency have to be described in level 2 document

3.3.3 - deleted section regarding Laboratory Statistics Sheet and removed from Section 4 records

4 – added when conducted to technical and administrative reviews

5 – added LOM

**Redacted - Signatures on File**

**Approval**

Laboratory Director

Date: 12/18/2020

Quality Manager

Date: 12/18/2020

**Appendix A: *FBI Laboratory Report (7-1)***

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Redacted - Form on File